

## Administrative Order



**Administrative Order No.:** 6-7

**Title:** Access To and Use of Internet Services and Electronic Mail (E-MAIL)

**Ordered:** 12/7/1999

**Effective:** 12/17/1999

**AUTHORITY:**

Section 4.02 of the Miami-Dade County Home Rule Amendment and Charter.

**DEPARTMENT RESPONSIBILITY:**

Except as otherwise specified, the Information Technology Department (ITD) is charged with the overall responsibility of administering this Administrative Order.

**POLICY:**

This document outlines the policies regarding access to and acceptable use of Internet Services and Electronic Mail (e-mail) by County departments and agencies. Any County department or agency eligible for and desiring access to the Internet will be provided access under the terms and conditions of this policy. Violation of this policy may be grounds for having access to the Internet or e-mail services restricted or revoked and may be grounds for disciplinary action leading up to and including discharge.

The County e-mail system and Internet access are valuable resources for the electronic communication of and access to information that is necessary to conduct County business. Departments are encouraged to make use of these tools to carry out professional responsibilities in the best interest of the County.

This Administrative Order governs the appropriate use of these tools to ensure that their use is in the best interest of the County. Improper use of these tools can raise many issues, including:

- Violation of public records laws;
- Invasion of privacy;
- Subjecting the County to criminal or civil charges;
- Loss of productivity;
- Jeopardizing security of County information systems.

This Administrative Order delineates those activities that are prohibited, and it is the responsibility of each County employee who is granted access to these tools to follow this Administrative Order when using the Internet and e-mail.

## **PROCEDURES:**

- Procedures on how to acquire Internet access and e-mail can be found within ITD's Services Directory at <http://intra.co.miami-dade.fl.us/itdsvcs/>.

Any broadcasts to all e-mail users require approval by the Chief Information Officer or designee.

Report any information distributed via the Internet or e-mail system that violates policy to the County Webmaster at [webmaster@co.miami-dade.fl.us](mailto:webmaster@co.miami-dade.fl.us).

Any questions or clarification on the policies stated within this Administrative Order should be directed to the Chief Information Officer or the County Webmaster at [webmaster@co.miami-dade.fl.us](mailto:webmaster@co.miami-dade.fl.us).

## **PUBLIC RECORDS:**

All computer, electronic and telecommunications systems, inclusive of the Internet and e-mail are to be used for the benefit and in the best interest of Miami-Dade County and its departments and agencies. As such, Miami-Dade County reserves the right to review employees' files, documents, e-mail, or use any data created or stored by a user as it deems appropriate. The County also reserves the right to monitor and review the usage of all electronic equipment. The County's Internet services and e-mail are currently being monitored and this information is considered public record. In addition, the County has implemented a feature that prevents employees from using the County network to access Internet sites that are considered unacceptable for County use, such as sites that contain material of an adult or pornographic nature. Attempts to access web sites that are unacceptable for County business will be logged and reported to the respective department director.

Chapter 119 of the Florida Statutes, commonly referred to as the Public Records Law, makes every government record public unless there is a specific exemption approved by the State Legislature. Under this law computerized public records are treated in the same way as written documents. Any official Miami-Dade County electronic files, documents or electronic transmissions (as defined by law) in an employee's account are considered to be public record, and may be subject to inspection. All applicable

United States, State of Florida and Miami-Dade County laws and policies will govern any inspection of electronic files, and any action based upon such inspection.

## **PROHIBITED ACTIVITIES:**

### **A. Use of E-Mail and Internet Services to Violate Existing Laws and Regulations**

It shall be a violation to use e-mail or Internet services to violate any existing law, regulation, or departmental or personnel rule. A complete list of such violations can be obtained by reviewing the governing laws, regulations or rules. Such prohibited activities include, but are not limited to:

1. Activity which could subject the County to civil or criminal liability, including but not limited to:
  - Discrimination, such as use of e-mail or the Internet to illegally discriminate against a person or group of persons based upon race, nationality, ethnic origin, religion, sex or other protected class.
  - Copyright violations in which literary, musical and artistic work either on paper or on the Internet is used without permission from the owner with exclusive ownership.
  - False advertising which constitutes the offering of false goods or services to the public through announcements via e-mail or the Internet.
  - Violation of software licensing, such that the terms and conditions associated with the purchase of computer software are broken.
2. Representing oneself as a spokesperson and/or making commitments on behalf of the County or a department without authorization.
3. Usage intended for personal or commercial financial gain (e.g., advertising).
4. Exposure of information which County management considers sensitive such as security specifics, copyrighted software products,

or information deemed sensitive or confidential under the Public Records Act, Chapter 119, Florida Statutes.

5. Use of another user's identity without proper authorization or misrepresenting authorization to act on behalf of others or the County.
6. Personal use that would violate personnel or departmental rules.
7. Any use of e-mail and the Internet for partisan political or religious activities.
8. Utilization of e-mail or the Internet to distribute offensive, abusive, threatening, pornographic, sexually explicit or hate messages or images.
9. Sending e-mail messages, images or sounds to others that are offensive to a reasonable person because the message contains lewd language or comments of an inappropriate personal nature, are intended to harass or annoy, or are otherwise offensive.
10. Use of the Internet or e-mail to commit illegal, fraudulent or malicious activities.

#### **B. Other Prohibited Uses of E-Mail and the Internet**

1. Disclosing your password or using any means to obtain and/or utilize the passwords of others without authorization.
2. Damaging or deleting another user's files without authorization.
3. Originating or intentionally propagating computer viruses and or chain letters.
4. Playing recreational games, except when part of an instructional tutorial.
5. Attempting to circumvent security restrictions, except when sanctioned by management in order to test security.

## **DISCIPLINARY ACTION**

Violators of this Administrative Order will be subject to formal reprimands and other progressive disciplinary actions as prescribed in Dade County Personnel Rules and Administrative Order 7-3: Disciplinary Action.

This Administrative Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

M. R. Stierheim  
County Manager